

FISCAL NOTE

HB 1898

March 31, 2007

SUMMARY OF BILL: Creates new aggravated criminal littering crime punishable as a Class A misdemeanor for the first offense. Elevates to a Class E felony for the second offense with an amount exceeding 1,000 lbs. or 200 cubic feet or for a third offense with an amount exceeding 10 lbs. or 15 cubic feet. The penalty for criminal littering is decreased from a Class A to a Class C misdemeanor.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$6,600 / Incarceration*

Increase Local Govt. Revenues – Not Significant

Decrease Local Govt. Expenditures – Not Significant

Assumptions:

- According to the Department of Correction, the average operating cost per inmate per day for calendar year 2007 is \$60.16.
- One Class E felony for aggravated criminal littering every year with 0.3 years time served (109.58 days). The cost per inmate at 0.3 years is \$6,592.33 (\$60.16 x 109.58 days).
- No significant incarceration cost increase will occur due to population growth in this period.

*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director